



PENSION BENEFIT GUARANTY CORPORATION

2018

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CHIEF FOIA OFFICER'S REPORT

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Pension Benefit Guaranty Corporation  
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## ABOUT PBGC

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The Pension Benefit Guaranty Corporation (PBGC or the Corporation) is a federal corporation established under the Employee Retirement Income Security Act (ERISA) of 1974, as amended. The PBGC was created to encourage the continuation and maintenance of private-sector defined benefit pension plans, provide timely and uninterrupted payment of pension benefits, and keep pension insurance premiums at a minimum. The PBGC is not funded by general tax revenues and collects insurance premiums from employers that sponsor insured pension plans, earns money from investments and manages funds from pension plans it takes over.

The PBGC protects the retirement incomes of more than 40 million American workers in nearly 24,000 private-sector defined benefit pension plans. A defined benefit plan provides a specified monthly benefit at retirement, often based on a combination of salary and years of service. The maximum pension benefit guaranteed by PBGC is set by law; the PBGC maximum guarantee for workers in single-employer plans is adjusted yearly. For single-employer plans that end in 2017, the maximum guarantee for workers who retire at age 65 is \$64,432 yearly (\$5,369.32 monthly). The guarantee is lower for those who retire early or when there is a benefit for a survivor. The guarantee is increased for those who retire after age 65. For multi-employer plans, the maximum guarantee amount is determined based on years of service and the plan's benefit rate, thus summarizing the guarantee quickly can be difficult. The guarantee is based on a pension for each year of service a person earns under his or her pension plan. Therefore, PBGC's maximum multi-employer guarantee is \$35.75 per month times a participant's years of credited service.

### OUR CUSTOMERS<sup>1</sup>

PBGC operates two separate insurance programs for defined benefit plans. PBGC's single-employer program guarantees basic pension benefits when underfunded plans terminate. By contrast, in the multiemployer program, the insured event is plan insolvency. In accordance with its Customer Service Plan, PBGC serves a range of customers with disparate interests and expectations.

Today, PBGC has responsibility for the pensions of 1.5 million people in more than 4,800 single-employer and multiemployer pension plans that could not pay promised benefits. PBGC pays \$5.8 billion annually in pension benefits, either directly or through financial assistance to multiemployer plans.

PBGC serves a range of customers with disparate interests and expectations. First are the 1.5 million people whose present and future pension benefits depend on the Corporation. Participants in plans now administered by PBGC depend on PBGC for their retirement security and expect quick, accurate benefit determinations and prompt, uninterrupted benefit payments. Second, PBGC's customers include the companies with PBGC-insured plans and the pension professionals who assist them. They expect PBGC to promptly and accurately process their premium payments, dispense reliable advice and rulings, and resolve issues affecting their plans quickly and responsively.

PBGC also serves a range of customers interested in retirement planning and pension plans, such

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<sup>1</sup>See PBGC Customer Service Fact Sheet: <http://www.pbgc.gov/about/pg/other/csp.html>.



as Congress, Federal Agencies and State Government, General Public, Media, PBGC Employees and Contractors.

**SECTION I: STEPS TAKEN TO APPLY THE PRESUMPTION OF OPENNESS**

The guiding principle underlying FOIA Memoranda and the Department of Justice FOIA Guidelines is the presumption of openness.

Please answer the following questions to describe the steps your agency has taken to ensure that the presumption of openness is being applied to all decisions involving the FOIA. You may also include any additional information that illustrates how your agency is working to apply the presumption of openness

**A. FOIA TRAINING:**

1. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend any substantive FOIA training or conference during the reporting period such as that provided by the Department of Justice?

**Yes.**

2. If yes, please provide a brief description of the type of training conducted and the topics covered.

**At PBGC, every employee is responsible for ensuring compliance with the FOIA and working to fulfill the goals of the Open Government Initiative: transparency, participation and collaboration. In Fiscal Year 2017, the PBGC held 39 conferences and/or training sessions, an increase from the 32 held the previous year. They are described as below:**

<i>Training Sessions</i>	<i>Topics Covered</i>	<i>Dates Administered</i>
<b>Division (Internal) Training</b>  The Division conducts periodic training on a variety of topics to ensure the efficient and accurate processing of FOIA requests.	<ul style="list-style-type: none"> <li>• Overview of the Privacy Act and FOIA Discussion</li> </ul>	May 3, 2017
	<ul style="list-style-type: none"> <li>• Fee Waiver Overview</li> </ul>	May 22, 2017
	<ul style="list-style-type: none"> <li>• OMB AR-08 Guidance</li> </ul>	March 29, 2017
	<ul style="list-style-type: none"> <li>• Building Consistency IV</li> </ul>	May 30, 2017
	<ul style="list-style-type: none"> <li>• Executive Order 12,600 Discussion</li> </ul>	August 16, 2017
	<ul style="list-style-type: none"> <li>• FOIA Request Processing</li> </ul>	May 24, 2017 October 14, 2017
	<ul style="list-style-type: none"> <li>• New Employee Onboarding</li> </ul>	January 2, 2017-Jan. 15, 2017



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		December 4, 2017-Dec. 15, 2017
	• FOIA Fees	October 4, 2017
	• The Learning Curve Part II – Discussion	August 22, 2017
	• FOIA Exemption 5 and Waiver of Attorney Client Privilege	June 14, 2017
	• Best Practices Discussion	June 7, 2017
	• PBGC-6 System of Record Notice Training	April 15, 2017
<p><b>Corporate (agency-wide) Training:</b></p> <p>The Division conducts agency-wide corporate training. Training is provided at all new employee orientations and is also targeted toward specific program offices.</p>	• PBGC New Hire Training	August 23, 2017 October 18, 2017 November 15, 2017 January 17, 2018
	• Overview of FOIA	October 17, 2017
	• Recognition of Outstanding FOIA Liaisons	April 3, 2017
	• Overview of FOIA Responsibilities of GLEG	December 20, 2017
	• Overview of FOIA Responsibilities of Ethics	October 21, 2017
	• Overview of FOIA Responsibilities of FBAs	December 12, 2017
	• FOIA Liaison Training	March 29, 2017
	• PA-Workshop	May 3, 2017
	• GLE FOIA Training	February 16, 2017
	• FOIA Overview – Ethics	February 9, 2017
	• CCC-FOIA and the Privacy Act	December 7, 2017

3. Provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

**100%**

4. OIP has directed agencies to "take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year." If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency's plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.

**N/A. More than 80% of PBGC's FOIA professionals attended training.**



**B. OUTREACH:**

5. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA?

**Yes. The PBGC’s FOIA Public Liaisons and Division staff work with FOIA requesters to answer questions, resolve concerns, and provide assistance with record requests. The Division has placed added emphasis on providing reliable and accurate assistance to customers who contact the Division via email, facsimile or telephone to inquire about the process of submitting a FOIA request.**

**Additionally, the PBGC actively engages participants through the implementation of a corporate communications program, including: websites, newsletters, subscriptions and social media. Please see examples of PBGC’s outreach activities, currently posted on pbgc.gov, by clicking on the links below<sup>2</sup>:**

**1) PBGC Customer Service Plan:**

**<http://www.pbgc.gov/Documents/Customer-Service-Plan-2014.pdf>, emphasizing that in all of our activities and decisions we incorporate the question “What impact will this have on the customer?”**

**2) New To PBGC- A Beginner’s Reference Guide:**

**<http://www.pbgc.gov/about/new-to-pbgc.html>, offering an overview of basic definitions, information available on-line, and multiple ways to navigate the website, thus allowing for more informed FOIA requests.**

**3) Frequently Asked Questions: <http://www.pbgc.gov/about/faq.html>, offering information tailored to workers, retirees, practitioners, the press and policymakers, thus sparing them the need to file a FOIA request.**

**4) PBGC Initiative on Open Government:**

**<http://www.pbgc.gov/open/index.html>, highlighting our commitment to collaborate with stakeholders by including important PBGC data sets that increase transparency, accountability and improve public awareness of our operations.**

**C. OTHER INITIATIVES:**

6. Describe any efforts your agency has undertaken to inform non-FOIA

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<sup>2</sup> If the links do not work, please cut and paste in your web browser.



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professionals of their obligations under the FOIA?

**The Division ensures that every search solicitation that is sent out to program areas, in response to a FOIA request, includes a description of the searching party's obligations under the law, including a: 1) deadline to produce records in accordance with the statutorily proscribed time limit; 2) note regarding the importance of tracking time spent searching for responsive records, to accurately assess fees; 3) statement regarding what constitutes a 'reasonable search'; and 4) suggestion to the searching party to contact the FOIA analyst with any questions regarding the search and production of responsive records. These search solicitations often result in robust dialogue with the searching party, in which the FOIA analyst provides tailored information regarding the request.**

**The Division provides training to all PBGC new hires (federal employees and contractor employees) during their orientation. In addition, the PBGC continues to utilize and train contractor employees in its Customer Call Center and Document Management Centers to respond to customers seeking specific information protected by the FOIA and the Privacy Act. The Division works concurrently with the Field Benefit Administrators, the Customer Call Center, and the Document Management Centers to provide efficient responses to high-volume requests, such as income verification requests from PBGC participants. As a result, these non-FOIA personnel are well-versed in how to expediently handle the FOIA and Privacy Act matters that they routinely encounter.**

7. If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

N/A

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## SECTION II: STEPS TAKEN TO ENSURE THAT YOUR AGENCY HAS AN EFFECTIVE SYSTEM IN PLACE FOR RESPONDING TO REQUESTS

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DOJ's [FOIA Guidelines](#) emphasize that “[a]pplication of the proper disclosure standard is only one part of ensuring transparency. Open government requires not just a presumption of disclosure, but also an effective system for responding to FOIA requests.” It is essential that agencies effectively manage their FOIA program.

Please answer the following questions to describe the steps your agency has taken to ensure that the management of your FOIA program is effective and efficient. You should also include any additional information that describes your agency's efforts in this area.

1. For Fiscal Year 2017, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A of your agency's Fiscal Year 2017 Annual FOIA Report.

**4.3 days**

2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

**N/A. The PBGC's average number of days to adjudicate requests for expedited processing was under ten calendar days.**

3. During the reporting period, did your agency conduct a self-assessment of its FOIA program? If so, please describe the methods used, such as reviewing Annual Report data, using active workflows and track management, reviewing and updating processing procedures, etc.

**Yes. The PBGC utilized the FOIA Self-Assessment Toolkit issued by OIP in September 2017. The agency evaluated intake, expedited processing, fee waiver, and workflow management by comparing its standard operating procedures (SOPs) to actual practices and Annual Report data. The self-assessment resulted in updates to two SOPs and the creation of a new SOP. The amended SOPs tweaked processing steps, and the new SOP promulgated a process for accounting for disclosures without consent when a disclosure is made concurrently pursuant to the Privacy Act and the FOIA.**

4. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide



an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during FY 2017 (please provide a total number or an estimate of the number).

**The PBGC estimates that requesters sought assistance from one of its two FOIA Public Liaisons approximately 17 times.**

5. Optional Survey Question: If possible, please provide an estimate of the average number of pages that your agency processes for each request. You may provide estimates for each track.

**The agency's average page count is 150 pages for Simple requests, and 275 pages for Complex.**

6. If there are any other steps your agency has undertaken to ensure that your FOIA system operates efficiently and effectively, such as improving search processes, eliminating redundancy, etc., please describe them here.

**The Division staff usually meets weekly to discuss process trends and proposed improvements. The staff discusses specific requests that present unique challenges, and brainstorms responsive solutions for future requests. Additionally, the Disclosure Officer has emphasized consistency and uniformity. Hence, each response, regardless of who has been assigned to process the request, results in a disclosure determination and cover letter that reflect a common philosophy consistent with the agency's regulations and applicable statutes.**

**In conjunction with the Business Model expounded on in our two prior Chief FOIA Officer Reports, the Division is ensuring the efficiency and efficacy of our FOIA system by focusing on meeting Performance Management Objectives. The Disclosure Officer is achieving this by engaging in interactive performance planning, ensuring accountability within the division, evaluating objective performance data, and recognizing employee achievements.**

**Additionally, On June 13, 2017 the PBGC updated its FOIA regulations, incorporating the provisions of the FOIA Improvement Act of 2016.**

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### SECTION III: STEPS TAKEN TO INCREASE PROACTIVE DISCLOSURES

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The Department of Justice has long focused on the need for agencies to work proactively to post information online without waiting for individual requests to be received.

Please answer the following questions to describe the steps your agency has taken to increase the amount of material that is available on your agency websites. In addition to the questions below, you should also describe any additional steps taken by your agency to make and improve proactive disclosures of information.

1. Provide examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material.

**1) PBGC's Annual Reports:**

<http://www.pbgc.gov/about/annual-reports.html>

**2) Guidance for Practitioners and Employers:**

<https://www.pbgc.gov/prac/whatsnew>

**3) Retirement Matters Blog:**

<https://www.pbgc.gov/blog>

**4) PBGC's Insurance Coverage:**

<https://www.pbgc.gov/prac/other-guidance/insurance-coverage>

**5) PBGC's Recent News Releases:**

<http://www.pbgc.gov/news/press.html>

**6) PBGC Newsletters and Publications:**

<http://www.pbgc.gov/wr/newsletters.html>

**7) Finding Unclaimed Pensions:**

<http://search.pbgc.gov/mp/mp.aspx>

2. Did your agency use any means to publicize or highlight important proactive disclosures for public awareness? If yes, please describe these efforts.

**Yes. The PBGC uses both Facebook and Twitter to notify the public of recently released information.**

- 1) <https://www.facebook.com/pages/Pension-Benefit-Guaranty-Corporation-PBGC/91530573008>
- 2) <https://twitter.com/uspbgc>



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**Additionally, the PBGC maintains a blog titled, “Retirement Matters”, which serves to update the public on important issues concerning the administration of retirement benefits. Such issues include: postings regarding benefits payable under plans recently trusteesd or insured by PBGC, guidance on electronic methods of receiving benefit payments, financial forecasts of single employer and multi-employer insurance programs, and other topics of public interest. The blog is updated monthly and is a robust tool for disseminating information to the public.**

**The PBGC also maintains an Open Government webpage, which includes important PBGC data sets and information about how the public can provide input to improve PBGC’s performance. Currently available records include: PBGC Annual Reports, Reducing Regulatory Burdens, Federal Spending Data Quality Plan, Open Government Plan, Board of Directors Meeting Minutes, and PBGC’s Customer Service Plan. These data sets are important because they serve to increase agency accountability and improve public knowledge of the agency and its operations, which are directly in line with the FOIA mandate.**

**The Retirement Matters blog and Open Government website are located at:**

**1) PBGC’s Retirement Matters Blog: <http://www.pbgc.gov/about/who-we-are/retirement-matters>**

**2) PBGC’s Open Government Website: <http://www.pbgc.gov/open/index.html>**

3. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency’s website?

**Yes**

4. If yes, please provide examples of such improvements.

**Pursuant to public and user feedback, the PBGC launched a newly redesigned website this fiscal year, PBGC.gov, with the goal of making information easier to find. The new website provides a cleaner layout, an updated search tool, more visible contact information, and MyPBA Login access on every page. For more information visit:**

**<https://www.youtube.com/watch?v=xjbTU27ofYE&feature=youtu.be>**



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5. If there are any other steps your agency has taken to increase proactive disclosures, please describe them here. For example, has your agency engaged requesters in determining how and what to post? Has your agency used web analytics to inform your proactive disclosures?

**The PBGC is constantly reviewing and improving content on PBGC.gov. In FY2017, the agency made over 582 updates to PBGC.gov to help provide more information to agency customers and stakeholders. PBGC uses web analytics and customer surveys to determine what PBGC customers are looking for. The agency evaluates and updates its web design to accommodate popular actions and tasks. PBGC's FY2017 redesign of PBGC.gov was in many cases a direct response to feedback from web analytics and surveys.**



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## SECTION IV: STEPS TAKEN TO GREATER UTILIZE TECHNOLOGY

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A key component of FOIA administration is using technology to make information more accessible. In addition to using the internet to make proactive disclosures, agencies should also be exploring ways to utilize technology in responding to requests.

Please answer the following questions to describe how your agency is utilizing technology to improve its FOIA administration and the public's access to information. You should also include any additional information that that describes your agency's efforts in this area.

### **MAKING MATERIAL POSTED ONLINE MORE USABLE:**

1. Has your agency identified any best practices to leverage technology to facilitate overall FOIA efficiency, such as improving record search capabilities, utilizing document sharing platforms for consultations and referrals, or employing software that can sort and de-duplicate documents? If yes please describe the best practices, the types of technology used and the impact on your agency's processing.

**Yes. The PBGC utilizes SharePoint, LeapFile and Rapid Redact, and as needed, for the Legacy Record Search/Retrieval System.**

**SharePoint: SharePoint allows collaborative processing of documents and disclosure determinations. As of January 2018, the Disclosure Division has transitioned to SharePoint for digital file storage.**

**LeapFile: A secure portal to share responsive documents with requesters that are too large to e-mail or to conveniently fit on disc. For large or voluminous requests, this tool reduces processing time and duplication costs.**

**Adobe Acrobat Pro: This tool allows the PBGC to convert and combine multiple documents across various formats into one document or portfolio for review and redaction. It also provides a uniform and secure format for disclosures. The format also keeps file sizes lower than other formats allowing for easier transmission of electronic disclosures.**

**Rapid Redact: The PBGC utilizes Rapid Redact whenever redactions must be made. This creates a uniform environment for analysts to make, review, and apply redactions. The tool also comes with preloaded**



**exemption codes that can be applied alongside the redactions automatically.**

**Legacy Record Search/Retrieval System (LRSRS): Provides Boolean and keyword search capabilities of large-scale document requests. This allows for searches to be conducted in an efficient and cost-effective manner by developing specialized queries in response to discovery quests.**

**The impact of using these technologies can be measured in metrics such as: processing times, volume of records, associated search fees, number of appeals received and overturned, and the sustainment of no backlog.**

2. Did your agency successfully post all four quarterly reports for Fiscal Year 2017?

**Yes.**

3. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2018.

**N/A. The PBGC successfully posted all quarterly reports for Fiscal Year 2017.**

4. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2016 Annual FOIA Report and, if available, for your agency's Fiscal Year 2017 Annual FOIA Report.

**The raw data from Fiscal Year 2016 Annual FOIA Report can be found here: <https://www.pbgc.gov/documents/2016-FOIA-Annual-Report.xlsx>**

**The raw data from FY 2017 is not yet available.**

5. If there are any other steps your agency has taken to improve use of technology in FOIA, please describe them here.

**In this past year, PBGC has been migrating their internal non-system records including their agency email into the Microsoft Office 365 government cloud solution. This move has strengthened the internal management of these records, and has allowed PBGC's Legacy Records Search/Retrieval System office to conduct newly comprehensive searches of the agency's internal email and other office-level working documents. This function is available to the Disclosure Division and allows it to access responsive records.**



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## SECTION V: STEPS TAKEN TO IMPROVE TIMELINESS IN RESPONDING TO REQUESTS AND REDUCING BACKLOGS

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The Department of Justice has emphasized the importance of improving timeliness in responding to requests. This section of your Chief FOIA Officer Report addresses both time limits and backlog reduction. Backlog reduction is measured both in terms of numbers of backlogged requests or appeals and by looking at whether agencies closed their ten oldest requests, appeals, and consultations.

For the figures required in this Section, please use the numbers contained in the specified sections of your agency's 2017 Annual FOIA Report and, when applicable, your agency's 2016 Annual FOIA Report.

### A. SIMPLE TRACK:

Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

1. Does your agency utilize a separate track for simple requests?

**Yes.**

2. If so, for your agency overall in Fiscal Year 2017, was the average number of days to process simple requests twenty working days or fewer?

**Yes. The average number of days to process simple requests was 5.98 days.**

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2017 that were placed in your simple track.

**± 28%**

4. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

**N/A. The PBGC tracks simple request separately.**

### B. BACKLOGS:



Section XII.A of your agency’s Annual FOIA Report, entitled “Backlogs of FOIA Requests and Administrative Appeals” shows the numbers of any backlogged requests or appeals from the fiscal year. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2016 and Fiscal Year 2017 when completing this section of your Chief FOIA Officer Report.

### **BACKLOGGED REQUESTS**

5. If your agency had a backlog of requests at the close of Fiscal Year 2017, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2016?

**N/A. The PBGC did not have a backlog of requests at the close of Fiscal Year 2017, nor did the PBGC have a backlog of requests at the close of Fiscal Year 2016.**

6. If not, explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:
  - An increase in the number of incoming requests.
  - A loss of staff.
  - An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.
  - Any other reasons – please briefly describe or provide examples when possible.

**N/A. The PBGC did not have a backlog for the past two years.**

7. If you had a request backlog, please report the percentage of requests that make up the backlog out of the total number of requests *received* by your agency in Fiscal Year 2017.

**N/A. The PBGC did not have a backlog at the close of the Fiscal Year 2017.**

### **BACKLOGGED APPEALS**

8. If your agency had a backlog of appeals at the close of the Fiscal Year 2017, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2016?

**N/A. The PBGC did not have a backlog of appeals at the close of Fiscal Year 2017, nor did the PBGC have a backlog of appeals at the close of Fiscal Year 2016.**



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9. If not, explain why and describe the causes that contributed to your agency not being able to reduce backlog. When doing so, please also indicate if any of the following were contributing factors:
- An increase in the number of incoming appeals.
  - A loss of staff.
  - An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.
  - Any other reasons – please briefly describe or provide examples when possible.

N/A.

10. If you had an appeal backlog, please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2017. If your agency did not receive any appeals in Fiscal Year 2017 and/or has no appeal backlog, please answer with "N/A.".

N/A.

**C. BACKLOG REDUCTION PLANS**

11. In the 2017 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1,000 requests in Fiscal Year 2016 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2017.

**N/A. The PBGC closed Fiscal Year 2016 with zero backlogged requests; therefore, the PBGC was not required to create a backlog reduction plan in accordance with 2017 guidelines.**

12. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2017, what is your agency's plan to reduce this backlog during Fiscal Year 2018?

**N/A. The PBGC closed Fiscal Year 2017 with zero backlogged requests; therefore, the PBGC will not need to implement a backlog reduction plan in accordance with 2017 guidelines.**

**D. STATUS OF TEN OLDEST REQUESTS, APPEALS, AND CONSULTATIONS:**



Section VII.E, entitled “Pending Requests – Ten Oldest Pending Requests,” Section VI.C.(5), entitled “Ten Oldest Pending Administrative Appeals,” and Section XII.C., entitled “Consultations on FOIA Requests – Ten Oldest Consultations Received from Other Agencies and Pending at Your Agency,” show the ten oldest pending requests, appeals, and consultations. You should refer to these numbers from your Annual FOIA Reports for both Fiscal Year 2016 and Fiscal Year 2017 when completing this section of your Chief FOIA Officer Report.

### TEN OLDEST REQUESTS

13. In Fiscal Year 2017, did your agency close the ten oldest requests that were reported pending in your Fiscal Year 2016 Annual FOIA Report?

**Yes.**

14. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2016 Annual FOIA Report. If you had less than ten total oldest requests to close, please indicate that.

**N/A. The PBGC closed its ten oldest requests.**

15. Of the requests your agency was able to close from your ten oldest, please indicate how many of these were closed because the request was withdrawn by the requester. If any were closed because the request was withdrawn, did you provide any interim responses prior to the withdrawal?

**The PBGC closed its ten oldest requests by issuing disclosure determinations. None of the 10 oldest requests were withdrawn.**

### TEN OLDEST APPEALS

16. In Fiscal Year 2017, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2016 Annual FOIA Report?

**Yes.**

17. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2016 Annual FOIA Report. If you had less than ten total oldest appeals to close, please indicate that.

**The PBGC had less than 10 appeals pending at the end of Fiscal Year 2016.**



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### TEN OLDEST CONSULTATIONS

18. In Fiscal Year 2017, did your agency close the ten oldest consultations that were reported pending in your Fiscal Year 2016 Annual FOIA Report?

**N/A. The PBGC did not have any pending consultations at the close of Fiscal Year 2016.**

19. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2016 Annual FOIA Report. If you had less than ten total oldest consultations to close, please indicate that.

**N/A.**

### ADDITIONAL INFORMATION ON TEN OLDEST REQUESTS, APPEALS, AND CONSULTATIONS & PLANS:

20. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2017.

**N/A. The PBGC did not face any obstacles in closing its ten oldest requests.**

21. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

**N/A. The PBGC closed its ten oldest requests.**

22. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2016.

**N/A. The PBGC closed its ten oldest requests.**



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## SUCCESS STORY

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Out of all the activities undertaken by your agency since March 2017 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency's efforts. The success story can come from any one of the five key areas. As noted above, these agency **success stories** will be highlighted during Sunshine Week by OIP. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.

**PBGC is proud to report that another fiscal year has ended with a zero backlog of FOIA requests. This achievement is a direct result of continued maintenance of the Disclosure Division's multi-track Business Model. This model allows employees to select a team according to their perceived strengths, encouraging more efficient and effective case processing. The Business Model clearly articulates performance standards and expectations for each team member according to grade level. The Division also refined its "Best Answer Approach." This approach encourages employees to socialize case strategy and disclosure analysis with subject matter experts and Record Originators. This approach also fills multiple critical skills gaps by encouraging collaboration and engagement between team members and available resources. These practices have increased morale, decreased processing times, and improved the Division's overall FOIA performance metrics.**